

Wicomico County, Maryland

P. O. BOX 870
SALISBURY, MARYLAND 21801

COUNCIL

LEWIS R. RILEY, PRESIDENT
PARSONSBURG, MD.

DAVID A. GRIER, VICE PRESIDENT
SALISBURY, MD.

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HEBRON, MD.

ROBERT M. LAWRENCE
SALISBURY, MD.

MATTHEW E. CREAMER
ADMINISTRATIVE DIRECTOR

DAVID H. CLARK
ATTORNEY

January 21, 1974

Mr. George Dennis
President of Commissioners
Mardela Springs, Maryland 21837

Dear Mr. Dennis:

The Wicomico County Council, at its meeting on
January 8, 1974, amended the Dog Control Ordinance.

We are enclosing a certified copy of the amendment
for your consideration.

Very truly yours,

WICOMICO COUNTY, MARYLAND



Matthew E. Creamer
Administrative Director

MEC:VPC

LAW OFFICES
PORTER, CULLEN
& CLARK
SALISBURY, MD. 21801

if off the premises of its owner and not under the immediate
control of a person.

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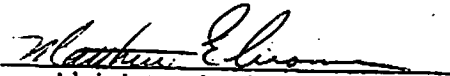
DAVID H. CLARK
ATTORNEY

C E R T I F I C A T E

I, Matthew E. Creamer, the duly appointed, qualified Administrative Director of Wicomico County, Maryland, do hereby certify that the attached is a true and correct copy of the Minutes of the County Council of Wicomico County, Maryland, of the meeting held on Tuesday, January 8, 1974, in the Courthouse, Salisbury, Maryland.

I DO FURTHER CERTIFY that the contents in said Minutes are still in full force and effect and have not been repealed, revoked or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of Wicomico County, Maryland, this twenty-first day of January, 1974.


Administrative Director for
County Council of Wicomico County
Maryland

LAW OFFICES
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SALISBURY, MD. 21801

if off the premises of its owner and not under the immediate control of a person.

AN ORDINANCE OF THE COMMISSIONERS OF MARDELA SPRINGS, a municipal corporation of the State of Maryland, adopting rules and regulations affecting the owner's responsibility for keeping dogs under control in the Town of Mardela Springs, Maryland; providing impounding fees under certain conditions; adding special provisions for seizure and detention of female dogs in heat found running at large; making it unlawful to harbor any dog which by frequent or long continued noise disturbs the neighborhood; making it unlawful for any person to administer poison or any other dangerous substance to a dog; and providing penalties for the same.

BE IT ENACTED AND ORDAINED BY THE COMMISSIONERS OF MARDELA SPRINGS, a municipal corporation as aforesaid, under and by virtue of the authority contained in Article 23A of the Annotated Code of Maryland (1957 Edition); the Public Laws of Wicomico County, Maryland, and the amendments thereto; and further for the protection and promotion of the health, safety, comfort and general welfare of the citizens of the Town of Mardela Springs the following rules, regulations and provisions to be enacted, adopted and established.

Section 1. Definitions.

(1) Animal Control Authority. "Animal Control Authority" shall mean any officer or agency, public or private, designated by the County Council of Wicomico County and/or the Commissioners of Mardela Springs as having the responsibility for the administration of any or all provisions of this Ordinance.

(2) At large. A dog shall be deemed to be at large if off the premises of its owner and not under the immediate control of a person.

(3) Owner. The word "owner" includes any person having a right of property in a dog or any person who keeps or harbors a dog or has it in his care or permits it to remain on or about any premises occupied or controlled by him.

Section 2. No owner of a dog, whether licensed or unlicensed, shall permit such dog to run at large off the premises of the owner in the Town of Mardela Springs, except when it is under the control or an authorized agent of the owner by leash, cord, or chain provided, however, dogs being used for hunting and dogs being accompanied by the owner on horseback shall be allowed to run at large provided they shall be at all times under the immediate control and command of the owner or his agent.

Section 3. It shall be the duty of every dog control officer to apprehend any dog found running at large contrary to the provisions of this Ordinance and to impound such dog in the Wicomico County dog pound or other suitable place. The dog control officer, upon receiving any dog, shall make a complete registry, entering the breed, color and sex of such dog and whether licensed. If licensed, he shall enter the name and address of the owner and the number of the license tag.

Section 4. Not later than two days after the impounding of any dog, the owner shall be notified, if he shall be known to the dog control officers. The owner of any dog so impounded may reclaim such dog upon payment of the license fee, if unpaid, and of all costs and charges incurred by Wicomico County and/or the Commissioners of Mardela Springs for impounding and maintenance of the dog.

Section 5. The following impounding charges shall be paid to the Wicomico County Director of Finance: for impounding any dog, three dollars (\$3.00); for keeping any dog, one dollar (\$1.00) per day; for giving notice, two dollars (\$2.00). The impoundment fee shall be five dollars (\$5.00) for the second or

subsequent offense by the same owner by the same dog within a six-month period and shall double for each and every offense during said period.

Section 6. It shall be unlawful for any owner or custodian to permit his dog to be on any school grounds on any day school is in session, or on any public recreation area where organized activity is being conducted, unless such dog is controlled by a leash or similar device.

Section 7. It shall be unlawful for any owner to allow his dog to become a public nuisance. Excessive barking, whining or howling, molesting passer-bys, chasing vehicles, attacking other domestic animals, and damaging property shall be deemed a nuisance.

Section 8. The animal control authority shall seize and impound any stray and unwanted dogs found at large in violation of this Ordinance; provided, however, that where the animal control authority is unable after reasonable effort to seize and impound vicious, wild or rabid dogs, it may kill any such vicious, wild or rabid dogs in as humane a manner as possible.

Section 9. It shall be unlawful for an owner to permit a female dog in heat to be at large, and the animal control authority shall impound any such dog found at large. Any person who violates this section shall be fined a minimum of twenty-five dollars (\$25.00). If the same dog, belonging to the same owner, shall be impounded in heat for a second time within twelve (12) months, said dog shall not be reclaimed by the owner thereof unless said owner shall pay for the spaying of said dog within one week after notice.

Section 10. Every dog so impounded shall be cared for and fed by the animal control authority until disposition is made thereof as directed herein. It shall be the duty of the animal

control authority to keep all dogs impounded for six days, or as otherwise noted herein. If, at the expiration of six days from the date of notice to the owner, such dogs shall not have been redeemed, it may be destroyed. Any dog which appears to be suffering from rabies or affected with hydrophobia, mange or other infectious or dangerous disease, shall not be released, but may be forthwith destroyed.

Section 11. The animal control authority shall maintain a complete record of all dogs destroyed.

Section 12. No dog that the animal control authority has reason to believe has vicious tendencies, rabies or any incurable disease shall be sold, released or permitted to be redeemed unless or until the animal control authority is satisfied that it is safe to release such animal. Any vicious dog having bitten a person or running at large may be impounded by Wicomico County or the Commissioners of Mardela Springs until such time as the owner or custodian of said dog has submitted satisfactory evidence to the animal control authority that adequate provisions have been made to protect the public from said dog. Any owner who, having had a dog impounded under the provisions of this section, again violates the provisions of this section, shall be deemed guilty of a misdemeanor and shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

Section 13. It shall be unlawful for any person to administer poison to any dog or to knowingly place or leave any poisonous substance of any kind or ground glass in any place with intent to injure or kill any dog; provided, that nothing contained in this Ordinance shall prohibit an owner from mercifully putting to death his own dog or from delivering it to the animal control authority for disposition. Any person convicted of violating this section shall be subject to a fine of not less than fifty

dollars (\$50.00) nor more than one hundred dollars (\$100.00).

Section 14. Any person or owner who shall violate any of the various sections of this Ordinance wherein a specific penalty is not hereinabove provided shall be determined guilty of a misdemeanor and shall be fined not more than twenty-five dollars (\$25.00) for each and every violation.

Section 15. AND BE IT FURTHER ENACTED that this Ordinance shall be effective ten (10) days after the date of its final passage and shall be known as Ordinance No. 11 of the Commissioners of Mardela Springs.

George W. Dennis
Lucien Bennett Sect. Treas.

Passed Dec. 14, 1972